

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NEW YORK LIFE INSURANCE  
COMPANY,

Plaintiff,

v.

MICHAEL BEGASHAW & ENDALE  
TESSEMA,

Defendants.

Case No. 2:22-cv-02081-KJM-JDP

ORDER

Plaintiff's motion for entry of default judgment was submitted for decision without oral argument by the magistrate judge. The matter was referred to a United States Magistrate Judge as provided by Local Rule 302(c)(19) and 28 U.S.C. § 636(b)(1).

On August 20, 2024, the magistrate judge filed findings and recommendations, which contained notice to the parties that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court

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1 . . .”). Having reviewed the file, the court finds the findings and recommendations to be  
2 supported by the record and by the proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The Findings and Recommendations filed August 20, 2024, are adopted in full;

5 2. Plaintiff’s motion for default judgment, ECF No. 24, is granted and default judgment is  
6 entered against defendant Begashaw. The entry of default judgment, however, is not construed as  
7 a determination of the rightful beneficiary to the death benefit;

8 3. Plaintiff is discharged from any and all liability to defendant Begashaw regarding the  
9 life insurance policy issued to Mariamawit Tessema and the death benefit under the policy; and

10 4. Defendant Begashaw is permanently enjoined from bringing any action or proceeding  
11 in any forum against plaintiff relating to the life insurance policy issued to Mariamawit  
12 Tessema’s or the death benefit under the policy.

13 DATED: October 23, 2024.

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16 UNITED STATES DISTRICT JUDGE  
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